

Congress of the United States
Washington, DC 20515

September 11, 2019

Mr. Matthew T. Albence
Acting Director
U.S. Immigration and Customs Enforcement
500 12th St., SW
Washington, D.C. 20536

Dear Mr. Albence:

We write regarding U.S. Immigration and Customs Enforcement's (ICE) use of bait and switch tactics to arrest immigrants that are attending interviews as part of their lawful immigration process related to their marriage to a U.S. citizen at the Baltimore U.S. Citizenship and Immigration Services (USCIS) office. We request that ICE immediately cease this predatory bait and switch practice that prevents immigrants from accessing the legal immigration process and cruelly separates families.

Immigrants targeted at the Baltimore ICE office were seeking to utilize a stateside waiver process that allows the spouse of a U.S. citizen who is currently in the United States to obtain a green card without a prolonged years-long separation. During interviews in which USCIS verifies the legitimacy of the marriage, ICE detained immigrants at the Baltimore USCIS office.


Courts have criticized ICE's use of this bait and switch measure as a means for arresting immigrants. U.S. District Judge George J. Hazel of Maryland ruled that Wanrong Lin of Maryland, who ICE deported to China utilizing this bait and switch practice, had to be returned to the United States and prevented ICE from deporting him while his case was still outstanding. In May, Judge Hazel found, in the case of Mr. Lin, that "[t]o allow removal under these circumstances would permit the government to erect an impenetrable barrier to completion of the provisional waiver process and, indeed, to use it as a trap for unsuspecting applicants."¹

It is concerning that ICE and USCIS appear to be coordinating to arrest immigrants attending marriage interviews at USCIS offices. Please provide any policies, memorandums, agreements, or guidance between ICE and USCIS related to this practice. We also urge you to immediately stop using this abusive bait and switch tactic in Baltimore and around the country to allow immigrants access to the legal immigration process and prevent families from being separated.

Sincerely,


Elijah E. Cummings
Member of Congress


C.A. Dutch Ruppersberger
Member of Congress


John P. Sarbanes
Member of Congress

¹ *Wanrong Lin et al v Kirstjen Nielsen et al*, GJH-18-3548, Slip Op., 9-10 (May 2, 2019).